

IN THE UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF
VIRGINIA
ROANOKE DIVISION

In re: LAKEISHA L. MORGAN § Case No. 24-70176
 §
 § Chapter 13
 §

MOTION TO EXAMINE PURSUANT TO RULE 2004

NOTICE OF HEARING

TAKE NOTICE: Notice is hereby given that a **HEARING WILL BE HELD ON THE TRUSTEE'S MOTION TO EXAMINE PURSUANT TO 2004 on August 5, 2024 at 11:00 a.m., or as soon thereafter as the parties may be heard before the Honorable Paul M. Black in the U.S. District Courtroom, 210 Church Avenue, SW, Room 200, Roanoke, VA 24011. If you wish to be heard, you must attend.**

NOW COMES THE TRUSTEE, pursuant to Fed. R. Bankr. P. 2004, praying this Court as follows:

Under Rule 2004(a), the Court may order the examination of any entity.

1. The Debtor filed her Petition under Chapter 13 on March 12, 2024.
2. On her Statement of Financial Affairs [Doc. No. 15, page 32], the Debtor listed a pending action in Botetourt Circuit Court and the Debtor stated the action was for nonpayment for repairs to a home that caught fire.
3. On her Schedule E, the Debtor lists a claim in favor of 1800 Water Damage of Roanoke NRV in the amount of \$100,000.00.
4. On May 2, 2024, 1800 Water Damage of Roanoke NRV filed a claim in the amount of \$138,243.35 for services performed to complete necessary repairs due to the fire damage.
5. Based upon information and belief, Universal Property and Casualty Insurance Company issued a total of \$128,651.92 directly to the Debtor on the claim as follows:
 - a \$2,000.00 issued on April 16, 2021
 - b \$2,000.00 issued on April 16, 2021

- c \$1,432.96 issued on May 10, 2021
- d \$46,606.04 issued on July 29, 2021
- e \$2,812.92 issued on June 30, 2021
- f \$3,600.00 issued on September 24, 2021
- g \$7,200.00 issued on March 8, 2022
- H \$63,000.00 issued on July 10, 2023

6. As it appears 1800Water Damage was not compensated for the work performed, the Trustee seeks to examine the Debtor to determine how the insurance proceeds were expended.

WHEREFORE, THE CHAPTER 13 TRUSTEE PRAYS THIS HONORABLE COURT THAT:

An order be entered compelling the Debtor to submit to examination within sixty days of an order thereof pursuant to Fed. R. Bank. P. 2004.

**OFFICE OF THE CHAPTER 13 TRUSTEE
CHRISTOPHER T. MICALE, TRUSTEE**

By: /s/Rachel E. Jones
RACHEL E. JONES
VSB 74117
*Staff Attorney for the Office
of the Chapter 13 Trustee*
15 Salem Ave.
ROANOKE, VA 24005-1001
(540) 342-3774 (PH)
(540) 342-3062 (FAX)

CERTIFICATE OF SERVICE

The Undersigned hereby certifies that on June 26, 2024 uploaded a true and exact copy of the foregoing Motion to Examine Debtor Pursuant to Rule 2004 to the Court's Electronic Case Filing System, notice of which shall be sent by operation of the Court's Electronic filing receipt to all parties entitled to receive notice electronically, including, Counsel for the Debtors. A copy of said Motion has also been served by United States Mail, Return Receipt Requested, addressed as follows:

Lakeisha L Morgan
2034 Tula Drive
Salem, VA 24153

____/s/Rachel E. Jones_____